

**SUO MOTU ADVERTISEMENT  
CASE NO. 138 OF 2023**

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,  
MUMBAI**

**SUO MOTU ADVERTISEMENT CASE NO. 138 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Pranav Constructions Pvt. Ltd.

.... Respondent/Promoter

**MahaRERA Project Registration No. P51800051212**

**Coram: Dr. Vasant Prabhu, Secretary, MahaRERA**

Ms. Shweta Kamble a/w Ms. Disha Kanakia appeared for the Promoter / Respondent.

**ORDER**

28<sup>th</sup> November 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 04.09.2023 to the Promoter above named for issuing an advertisement in Sakal Newspaper dated 12.08.2023 in regard to their real estate projects situated at Borivali, Malad and Goregaon without mentioning the MahaRERA project registration numbers as well as without incorporating the Quick Response (QR) Codes of the said real estate projects in the said advertisement.
2. The Promoter, through its written submission dated 11.09.2023, stated that they had published the advertisement to inform the public at large about their accomplishment of completing 10 years in the business. In celebration of completing 10 years in the business, they had come up with an offer wherein they were giving certain discounts upon the purchase of 1BHK flat and 2/3 BHK flat in their projects available at Borivali, Malad and Goregaon. The Promoter further stated that the advertisement was not a specific project promotion advertisement.
3. In this regard, a hearing was scheduled on 28.11.2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Promoter could appear through its representative and make its

**SUO MOTU ADVERTISEMENT  
CASE NO. 138 OF 2023**

submissions.

4. In the course of aforementioned proceedings, the Promoter clarified that the mentioned advertisement pertained to their achievement of reaching a decade in the business. It did not focus on any specific project and was not intended to promote or market any particular apartment or project.
5. In this regard, it is necessary to peruse the provisions of Section 11 (2) of the RERA; MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, which reads as under:

*"11(2) The advertisement or prospectus issued or published by the Promoter shall mention prominently the website address of the Authority, wherein all details of the registered project have been entered and include the registration number obtained from the Authority and such other matters incidental thereto."*

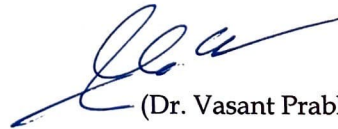
*"MahaRERA Order No. 46A/2023 With effect from 01.08.2023, Promoter shall prominently display the QR Code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."*

*"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR Code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides the MahaRERA Registration Number and the Website Address. The mandate as mentioned above shall apply to the mediums of promotion/advertisement and in any other medium as may be directed by the Authority."*

6. Notwithstanding the circumstances of the present case, it has come to light that the Promoter had released an advertisement in Sakal Newspaper dated 12.08.2023. Furthermore, the Promoter had failed to incorporate the MahaRERA project registration numbers as well as QR Codes within the aforementioned advertisement.

**SUO MOTU ADVERTISEMENT  
CASE NO. 138 OF 2023**

7. Henceforth, it becomes manifestly clear that the Promoter stands in violation of Section 11(2) of the Real Estate (Regulation and Development) Act, in conjunction with MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
8. In view of the above a penalty of Rs. 50,000/- is imposed upon the Promoter under Section 61 and Section 63 of the RERA for violation of the provisions of Section 11(2) of the Act and for violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
9. The said penalty shall be payable by the Promoter within a period of 15 days from the date of this order, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.
10. The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty prior to initiating the processing of any applications, including but not limited to extensions, corrections, and change of name, pertaining to the specified project.
11. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

**Secretary, MahaRERA**